



H&A-5128

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/563,099 Confirmation No. 6880
Applicant : Y. Iihoshi et al.
Filed : December 30, 2005
Title : DEVICE AND METHOD FOR DIAGNOSING
EVAPORATION LEAK, AND CONTROL DEVICE OF
INTERNAL COMBUSTION ENGINE
TC/A.U. : 3747
Examiner : J. Kwon
Customer No.: 24956

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 10, 2006, the Applicants respond to the Restriction Requirement by electing the species of Figure 2, and further, the invention of Figure 4. At least claims 1-5, 7-10, 14 and 16-21 are readable thereon.

Applicants further note that Fig. 3 only illustrates a typical evaporation leak diagnostic process sequence over which the present invention is an improvement.

Moreover, Fig. 6 is a timing diagram illustrating the influence of evaporation which may cause a diagnosis error when there is no leak. Fig. 7 is also a timing diagram illustrating the influence of a canister charge amount which may cause a diagnosis error when there is no leak.

Finally it is noted that Fig. 8 does not relate to Fig. 2 but rather to Fig. 9 in that, like Fig. 9 the embodiment utilizes the air pump 146 located in the fuel tank 108 to pressurize the evaporation purge system. This is the opposite of the embodiment

shown in Fig. 2 wherein the air pump 146 is used to depressurized the evaporation
purge system.

If a fee or additional fee is required, the Commissioner is hereby authorized to
charge any fee or additional fee that may be required and credit any excess to Deposit
Account No. 50-1417 (H&A-5128).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

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GWS/cmd